

**FREEDOM OF INFORMATION COMMISSION STATEMENT
IN OPPOSITION TO HB 6466, AN ACT CONCERNING
PROJECTS OF REGIONAL SIGNIFICANCE.**

The Freedom of Information (FOI) Commission would like to take this opportunity to object to a section in HB 6466. While the stated purpose of HB 6466 is to authorize regional planning organizations to establish a voluntary preapplication review process for projects of regional significance, the proposed legislation attempts to carve out yet another unnecessary and overly broad exemption in the state's government transparency law.

In Section (c) of the bill is the following language which creates a new, mandatory exemption from disclosure of public records: "Information provided by or received by an applicant to a local, regional or state agency as part of a process established by a regional planning organization under this section shall not be subject to disclosure under the Freedom of Information Act, as defined in section 1-200 of the general statutes and shall not be considered by any municipal, regional or state agency in subsequent deliberations on the project."

This language flies in the face of state law, codified in the FOI Act, which defines all records held or used by a public agency to be public records and disclosable to the public. The exception in HB 6466 is overly broad and arbitrarily classifies records as non-disclosable for no apparent reason.

It is not at all clear why such broad confidentiality is necessary for these records. If the concern is for the protection of trade secrets or confidential financial information, there are a series of exemptions to disclosure, which are permissive in nature, and which could apply to the records in question. Thus, if that is the concern, the need for such broad confidentiality is moot.

The FOI Commission respectfully submits that this broad exemption is unnecessary and that this portion of the bill be stricken.

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